

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q94181

Takeyuki SUGIURA

Appln. No.: 10/573,969

Group Art Unit: 1652

Confirmation No.: 9936

Examiner: Iqbal Hossain CHOWDHURY

Filed: March 30, 2006

For: TETRAHYDROFOLATE SYNTHETASE GENE

**DECLARATION UNDER 37 C.F.R. § 1.132**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Takeyuki SUGIURA, hereby declare and state:

THAT I am a citizen of JAPAN;

THAT I have received the degree of Doctor of Philosophy in 1992 from The University of Tokyo;

THAT I have been employed by Daiichi Pharmaceutical Co., Ltd., which is now Daiichi Sankyo Co., Ltd since January 18, 1999, where I hold a position as Senior Researcher, with responsibility for Exploratory Research Laboratories;

THAT I am the inventor of the invention disclosed and claimed in the above-identified U.S. Patent Application and hence I am fully familiar therewith.

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THAT I am familiar with the Office Action dated May 23, 2008, in which Claims 16-18 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Sugiura *et al.* (*Biochem Biophys Res Commun*, 2004, 27, 315(1):204-11).

THAT I am the inventor of the subject matter disclosed in the Sugiura *et al.* reference cited against the above-identified application.

THAT the disclosure in the Sugiura *et al.* reference upon which the Examiner relies as the basis for the rejection under 35 U.S.C. § 102(a), was derived from my own inventive work.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: August 8, 2008

T. Sugiura  
Takeyuki SUGIURA